

MEMORANDUM OF LAW

DATE: July 28, 1988

TO: Councilman Bruce Henderson

FROM: City Attorney

SUBJECT: Request for Reconsideration

By memorandum of July 26, 1988, you asked to schedule a reconsideration of Item S-402 on the docket of July 25, 1988 and how to accomplish same to observe the Ralph M. Brown Act. Government Code section 54950 et seq.

To comply with the agenda requirements of Government Code section 54954.2, reconsideration may be accomplished by means of either of the following two (2) procedures under the Permanent Rules of the Council (Municipal Code section 22.0101):

- a) Rule 4 Special Order of Business
  1. Submit the request for reconsideration to Rules Committee.
  2. Rules Committee reviews request and directs City Clerk to put item on docket as a Special Order of Business.
  3. Note: Robert's Rules section 36 requires that a motion for reconsideration can be made "only by a member who voted with the prevailing side."
- b) Rule 32 Suspension of Rules
  1. Councilmember requests the rules be suspended to reconsider Item S-402.
  2. Matter is docketed on issue of whether to suspend the rules. If done, matter is rescheduled for reconsideration as properly noticed matter.
  3. See Scripps Clinic example (attached).

JOHN W. WITT, City Attorney

By

Ted Bromfield

Chief Deputy City Attorney

TB:js:011(x043.2)

Attachment

ML-88-73